

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>MICHAEL LOUIS BRISCO, 1074236,</b>	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:04-CV-2687-P</b>
	)	
<b>DOUGLAS DRETKE, Director, TDCJ-CID,</b>	)	
<b>Respondent.</b>	)	


**ORDER**

After making the review required by 28 U.S.C. § 636(b), the Court finds that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct, and they are adopted as the findings and conclusions of the Court.

The magistrate judge's October 6, 2005, findings, conclusions and recommendation is hereby VACATED. Petitioner's motion for leave to amend his petition to assert only those claims that are exhausted is GRANTED.

IT IS SO ORDERED.

Signed this 19<sup>th</sup> day of December 2005.

  
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JORGE A. SOLIS  
UNITED STATES DISTRICT JUDGE